P.F. 42797

G. R. S. IX-5]

Previous references. L.R. 74 of 93

1894-95

191

(L.R.)

File No. 90 of 94

Serial Nos. 1 to 5

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 5

for ~~Part~~ B for September 1900.

SUBJECT.

Application of Venkata Rao of Gandagal, Kadlagiri Taluk, regarding the Kodagi Inam -

W D 1250--GPB--30,000 - 28-1-19

Transn D.O. Reports of
8 June 93 & 6 Jan 94
Trans Supt of 6 Jan 94

Gundagal Kudagi

The discussion regarding
the position of the Kudagi
settl. under the Rules of
1877 which commenced
in 1881 was finally
closed by the instructions
issued by the Trans Supt
in letter No 1261 of
25 Sept '88 — vide
Printed Proc ~~47 of 91~~ 35 of 29 Sept 88 —

revised Settl

Notice of the ~~Re-Settle-~~
~~Intended Reduced~~ Contemplated was published
in the Official Gazette
Date 4th March '89, — but
the Kudagidars ~~did~~
~~not present their~~ in
Question did not apply
~~present their claims~~
for a revision in
accn with that
Notifn
Under such Circs
~~the exist no Grounds~~

Tumkur Dept.y Comm.rs (As per Serial No. 3

No. 342 Dated 10th Oct. 1895

The cause of the confusion in which this case appears to be involved is the disturbing order of 1881 Govt. as then represented by the then Dewan Mr. Ranga-Charlu contemplated a change of policy in the treatment of Kodagi Inams. Although, perhaps the sanction of the Govt. of India would have had to be obtained. Yet the change contemplated was not without its advantages. At the most the perpetuation of their names would have been to develope the policy of the Chavthaiji System.

Continued.

The Kadazi Dan is
not entitled to
~~for~~ any revision of
the settlement finish
made. It is noted that under that
Settl, the Kadazi
loan granted for
Construction of upper lines
has been superseded
at 1/4th Quitrent.

5/9/94.

Draft Order
BB
11/9

4 2). Jurisdiction Dy Comrs
No 342 of 1884 73

of our small
Courts bounded
men to hesitate
in enterprise - Considering
how far wants
of a systematised
treatment then
petty Courts have been
neglected throughout
the country the
expansion of that
arrangement by
the perpetuation
of the Kudiyiruppu system
is not undesirable
It was however
decided that the
rules should be
given effect to
and the result
was that the Petrs
prayer became
impossible under
the rules of 1877.
His settlement under
then rules was the
easiest & the most
liberal - believing
him entitled to
a greater quitrent

Mov & ent
5/2/98

Pet^{n} No 1887 / 1894-95

Note by the Dewan

There is an element of hardship in this case. I want to see if it can be remedied.

The orders of 12th September 1894 have too technical a sound

The last para was intended to show that petitioner has had the lightest Quit rent possible under the Rules and that he would not have got more, even if he had appeared before Col: Grant at the revised Settlement.

Order

Mr Ranga Charlu's orders of 8th Sept^{r} / 81 only ordered an enquiry. After such enquiry, final orders for a revision of Settlement were passed on 25th September / 88.

I enquired into the revised Settlement &c some time ago, when Mr Chentsal Row was here and wrote something

them. Mr Ramaswamy Iyengar assistant Secretary will remember this. I would like him to bring these papers† to me. He should also examine this file and see if petitioner is reported to have spent any and what money upon his tank since 1881

(sd) K. S.

23-6-95

See also my remarks on printed orders of 29th September 1888.

† together with the revised Settlement as reported upon by Col Grant then or prev

The more important pap on this subject should be printed. It otherwise es my memory

---

Note by the 2d Councillor

The cause of the confusion in which this case appears to be involved is the disturbing order of 1887. Govt as then represented by the then Dewan Mr Rungachari contemplated a change of policy in the treatment of Kodagi Inams. Although perhaps the sanction of the Govt of India would have had to be obtained, yet the change contemplated

5

Some of the arrears also have been recovered from him. His is too late in the day to think of awarding him any further treatment. The application must be rejected.

3/2/98

was not without its advantages. At the worst the perpetuation of these Inams would have been to perpetuate the faulty system of the chowkidari system of our small tanks handed over to private enterprise. Considering how far worse than a systematised treatment these petty tanks have been neglected throughout the country, the expansion of that arrangement by the perpetuation of the Kodagi system is not undesirable. It was however decided that the rules should be given effect to and the result was that the petitioners prayer became impossible under the rules of 1877. His settlement under these rules was the easiest and the most liberal, he having been subjected to a quarter quit-rent. Some of the arrears also have been remitted from him and it

I am afraid no such reservation is kept to have (illegible)

was for both "construction and up-keep". The liability to maintain the tank in order was removed by the Inam Settlement of 1877. Then, the Question is on whom does this liability devolve subsequent to date of enfranchisement? If the Government do not maintain the Tank being a minor Tank below 300 Rs, Petitioner who holds all the Atchkat lands, has, I think a right to ask for the cancellment of the Settlement and for restoration to him of the Kodagi so that he may maintain it at his own Expense and to his advantage. The Govt in consideration of the payment of Quit rent have imposed on themselves the liability to keep these Kodagi Tanks in order. I think this should be done if the Settlement under the Rules of 1877, cannot be cancelled with the approval

of the Govt of India. 11

I think the matter requires further consideration

(Sd) T. R. A Thirumalacharlu
18-2-98

—x—

Note by the 1st Councillor

I do not know what the Offg: Dewan proposes to do. The settlement was in accordance with the rules sanctioned by the Govt of India and resulted in the withdrawal of the liability of the Petitioners to repair the tank which thenceforward became a Govt tank and was to be treated under the general policy of Government regarding such tanks. I stated in my remarks that Mr Ranga Charlu's inclination to revert to the old Kodagi system was advantageous, but in the decision adopted

is too late in the day to [illegible] of according to him assessment treatment. The application must be rejected

(Sd) P. N. K.
3-2-98

Asstt Secy. D. & S.

This is an order passed upon an application for review of the Deputy's order of 12 September 98. The Deputy further recorded a note on 28-6-98. Please therefore transmit this file to the Offg Deputy

(Sd) C.S.
12-2-98

Note by the Offg: Deputy

Under the Rules of 1877 this Khotaji Inam was enfranchised and a quit-rent of 1/4 assessment imposed. Petitioner asks for the cancellation of that settlement.

He was allowed enfranchisement at 1/4, as his ancestor originally constructed the tank and the Inam was

There is an element of hardship in this case. I want to see if it can be remedied.

The orders of 12 Sept 94 have two technical a Sound

— The last para was intended to shew that Govt has had the highest Quitrent possible under the Rules & that he wd not have got more, even if he had appealed before Col Grant at the revised Settlt. order.

Mr Ramgopalachari's order of 8 Sept 81 only ordered an Enquiry — After such Enquiry, final orders for a revision of Settlement were passed on 25 Sept 88.

I enquired into the
~~subject~~ revised Settlt.
&c. Some time ago
when Mr. Chenevix Rev
was here & wrote something
thereon. Mr Ramn. Iyengar
Asst. Secy. may now
remember this. I
wd like him to bring
these papers to me.
He shd. also enquire
this file & see if
Petr is reported
to have ~~sent~~ sent
any ~~papers~~ papers upon
his tank since
1881 —

23/6/95

See also my remarks on
printed order of 29 Sept 88.

Rev Secy

To Mr Ramaswamy
for early attention

Asst to Secretary 24-6-95
with a memo on the Kodaikanal Lakes file 27/6/95

* Together with
Revised Settlt.
as reported upon
by Col Grant there
as previously —

The more important
papers on this
subject shd be
printed. Mr Stuart
Escapes my memory

* It is recommended to print the most important
papers on important subjects

Subsequently, this idea of a change was abandoned and the old settlement became good. I do not see how we can revert to acute-settlement period prior to 1877 and on this point I beg to be enlightened by the Dewan. The taxes will be dealt with as all the Nair taxes of that class in the Province

(Sd) P.N.K.
12-3-98

15 2nd draft

Proceedings of the Govt of Mysore

Read:—

Petition No 1087 dated 12th January 1895 from B. Venkata Rao of Gundagal village Maddagiri Taluk praying for revision of Govt order in Confl Dept No 4984-6 dated 2nd December R 721 declaring to be known hereditary of the 1894 regarding the restoration Kodaji Munivenkatappa of the Gundagal Tank as Kodaji Tenure

(2) Records of the case

Order.

The cause of the confusion in which this case appears to be involved is the disturbing order of 1881.

Government as then represented by the then Dewan Mr Rangacharlu contemplated a change of policy in the treatment of Kodaji Munive-

Pub Hearing

My 9/2/98

Wesley Rao

This is an order on a petition for revision of the order of the Govt dated 12th January 1895. The petitioner prays that the Govt may be pleased to restore to him the Dhe Enam

12-2-98

Transl Sec to H.H. PP No 44

Amended order

of 1897-98 No cleared with

Enlargement Petition

My 12/2/98

Although perhaps the sanction of the Govt of India would have had to be obtained, yet the change contemplated was not without its advantages. At the most the perpetuation of these Inams would have been to develope the policy of the Chentagi system of our small tanks handed over to private enterprise: Considering how far want of a systematised treatment these petty tanks have been neglected throughout the country, the expansion of that arrangement by the perpetuation of the Kudagi system is not undesirable. It was however decided that the rules should be given effect to, and the result was that the petitioners prayer became impossible under the rules of 1877. His settlement under these rules was the

exist and the most liberal
he having been subjected
to a quarter quit-rent. Some
of the arrears also have
been remitted from him and
it is too late in the day
to think of according to him
any better treatment.

The application is rejected.

Offr
C.

Fr Leay

9/2/98.

To

The Dy Com[r] Customs
Dist for information, with
records

(2)

and resulted in the withdrawal of the liability of the Govt to repair the tanks which thereupon became a Govt tank and was to be treated under the general policy of Govt regarding such tanks. I stated in my remarks that Mr Ramachandra's information prevent with rd Kodaji system was advantageous, but in the decision adopted subsequently this idea of a change was abandoned and the old settlement became good. I do not see how we can prevent Mr Ande - settlement period prior to 1877 & on this point I say Mr was supplemented by the Diwan. The tanks must be dealt with as all the other tanks & that class in the Province

12.3.98

Forwarded to the Collector D.H.O with P/F No 464/1897 which contains a memo on the General subject of this case.

16/3/98

Let the matter be discussed
14/3/98

Formally passed
15/3/98

+ Mr Chentsal Rao's draft order as Serial No 4 is to the same effect JM 18/2/98.

18

Under the Rules of 1877

Reclamation Plan of the Kodiya no thattumalam at this an Enhancement for this schedule — The fact, on examination of the Payment of Quit-rent have imposed on Hereditary Pattas Kodiya Pattas under these Rules of the Settlement, under the Rules of 1877, cannot be cancelled with the approval of the Collector

I think the matter requires further consideration

P Kennedy
18. 2. 98

Under the Rules of 1877 this Kodiya maram was enfranchised and a Settlement of Jodi assessment was made for the enhancement

The maram although enfranchised at Jodi as this amount originally contracted the Tenure was to remain as a Kattu Cultivation only Kept — The Hereditary Maintain the Tenure on other terms of the Enfranchisement of 1877 — Then the Question is on whom does the Hereditary Obligation to pay Quit-rent to State devolve? — If the Pattas do not contain the Pattadar terms & amount Tenure then Govt. Pattas, who decision as the actual Land Owner, I think a right basis for the enhancement the settlement — and the

I am forwarding no such Reservation in Certificates

Sealed 24th Feb 98

Rd 7th 18-2-98
18.2.98.

I do not know what Mr Wedderburn proposes to do. The settlement was in accordance with the Rules framed by Government of India

Submitted.

The Revision application dated 12th January 1895 with reference to which the final orders of the Dewan have now to be obtained, had been submitted once previously under the orders of the Revenue Councillor, and the Dewan directed on the 23d June 1895 (Vide his note of that date) that the papers be brought up by the Ramaswamiengar, Assistant Secretary, with (1) the report received from Colonel Grant on the revised Kodaga Settlement and (2) information as to whether the petitioner had spent any money on his land since 1881. (3) He also directed that the important papers on the subject should be printed.

On the file now received

XX 20

1) Papers relating to the Kodji Inam (as far as they were available have been printed & a copy is put up.

2) Proc^{s} 16/9/74 will be found on p 5-6 & Proc^{s} 7/12/81 on p 66-7 (para 3 refers to Kodji Inam).
Inam supt's letter of 28/7/93 will be found on p 51-2 & the circular letter ref^{d} to by the pet^{r} is not forthcoming but pet^{r} is referred to as of 8/9/81 (P 34 of the Selection)

3) Reports of Lieut Col Grant about the revised Settlement will be found on p 45-6 & on pp 53-63 of the Selection

4) I shall wait upon the Dewan & do (with Newspapers) directed
6/12/93

1) Paras 6 & 7 of the Govt^{t} (Govt^{t}'s reply of 6/6/93 refers to S No 4 of enclosure) shows that the pet^{r} did not spend anything on repairs since 1882 nor he did spend from 1877 to 1881

J. A.J.C. See^{y} D.H.V

23

1881.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 8th September 1881.

No. 14616-24.
138.

Prohibiting the compulsory enfranchisement of Kodigi Inams, and calling for a list of cases in which the Kodigidars prefer to retain their inams under the old tenure.

...ore Government Press, Bangalore.—15-9-81.—75

The Settlement Report and the information asked for by the Asstn, up to date, are awaiting, and the connected important papers do not seem to have been printed—

The undermentioned important references are also awaiting in the file: →

1. Pro: S.C. 4327/128 of ... p. 74.
2. Pro: S.C. 7...1/220 of ... 12. 87
3. Exam report I.T. 8 of 25. ... 93.
4. Circular Notification dated 3d December 1887 referred to by the petitioner in his Review application—

Petition proceeds for receipt-U 26/3/98

24/3/98

rub b Secretary

The most important point in the case is the printing of the papers relating to the

Proceedings of the Durbar to His Highness the Maharaja of Mysore, (Revenue),—dated 29th September 1888.

READ THE FOLLOWING PAPERS :—

Letter No. 1251—388, dated 13th September 1888, from the Deputy Commissioner, Kolar District, soliciting instructions as to whether the order directing the recovery of $\frac{1}{3}$ or $\frac{1}{4}$ of the arrears of Kodagi Quit-rent is applicable to the cases of Kodagi Inams confirmed on $\frac{1}{2}$ Quit-rent for life.

From the Chief Secretary to the Dewan of Mysore, To the Superintendent of Inam Settlements, Camp No. 1261, dated Mysore, 25th September 1888.

In acknowledging the receipt of your letter No. 25, dated 31st August 1888, I am desired to say in reply that on the general question of the revision of the Kodagi Inam settlement, the Dewan has little to add to what he already recorded in his Inspection Notes of the Kolar District, paras 8 to 15 of the 14th July 1887 and para 3 of the 16th idem and to his remarks in the Dasara Address of September 1887.

2. The Dewan is of opinion that the Kodagi system is altogether out of date and was justly abolished in 1877 as being inapplicable to the present irrigation requirements of the Province, and he has no intention whatever to revive it now to any considerable extent. He is also of opinion that the rules of 1877 were in themselves fair and reasonable, but after consultation with you he arrived at the conclusion that the effect given to the Rules by the Inam Department was arbitrary and such as gave good ground for complaint in a great many cases. Under such circumstances, the present revision was ordered.

3. The Dewan is quite of your opinion that no Kodagi Inam should be treated as granted only for 'up-keep' unless upon distinct and express proof. As a general rule, Kodagi Inams were granted for "construction and up-keep" and the grant for mere 'up-keep' was very rare indeed. Bearing this fact in mind, the ordinary presumption is that the Inam was granted for "construction and up-keep" and there must be express proof to rebut this presumption. Government were bound to adopt such a liberal treatment when by the abolition of an existing system, they were interfering with vested rights by an Act of the legislature, for the Rules of 1877 had and have the force of law. Under such circumstances, I am to request you to revise the cases now before you on the principles above enunciated, and to treat as falling under Class I all cases for which such treatment is now claimed, and in which you may be of opinion, (after a consideration of the entire evidence now or before adduced) that there is no proof of a grant for 'up-keep' only.

4. The cases thus brought under Class I should be settled at $\frac{1}{3}$ or $\frac{1}{4}$ quit-rent according to the fairly good order or total disrepair of the tanks concerned, at the time of the former settlement. The condition of a particular tank at that time can now be ascertained only by the evidence then recorded; but in any very special case in which that evidence is impugned, you are at liberty to ascertain by enquiry from local officers the exact condition of the tanks at that time.

5. The rules, which the Dewan in a previous letter said should be issued in connection with the present enquiry, were such as would make known to Kodagidars the principles enunciated in the two preceding paragraphs. As applications for revision have been already filed, it is not necessary now to indicate to the public the scope of the present enquiry, and in this view I am to add that no new rules need now be issued, and that it is not the intention of the Government at present to alter in any way the Rules of 1877, which, as before observed, have the force of law.

6. There are however two questions, which, though not immediately connected with the settlement on which you are now engaged, may yet receive useful elucidation at the present enquiry, so as to enable the Government to come to a satisfactory decision hereafter. The first of these questions is whether any Kodagidar to whom you may now confirm the Inam under Class II× at $\frac{1}{2}$ quit-rent really asks for the restoration of the Inam together with the liability to maintain the tank, and to forfeit entire Inam in case of default to maintain. I am to request you to explain

to all such applicants the substance of the Rules proposed in para 12 of the Dewan's Inspection Notes of Kolar dated 14th July 1887 and to make a record of their real wishes. It is probable that many of them do not understand what they are asking for, and in most cases it will be found that they would choose the smaller evil of ¼ quit-rent rather than undertake the heavy responsibility of maintaining a tank. Persons coming under Class I, who failed to maintain their tanks and are therefore charged ½ quit-rent, are, I am to add, liberally treated when let off with only ½ quit-rent. Persons coming under Class II are not entitled to any special consideration by way of again entrusting the tanks to their care.

7. The other question relates to small tanks with a revenue of Rs. 100 and less (referred to in para 14 of the Inspection Notes dated 14th July 1887, and para 3 of those dated 16th July 1887). This question has to be decided on general principles not directly connected with the Kodagi settlement, but the Dewan would like your collecting and recording as much information regarding them as may come up during the present enquiry. The restoration of these small tanks as a matter connected with the Kodagi settlement must be governed by the principles laid down in the last preceding paragraph.

8. In regard to every application for restoration of Kodagi tenure, I am to request that information upon the following points may be collected as far as possible :—

1. Total Achkat and assessment thereon.
2. Total occupied area and assessment thereon.
3. Quantity of land in Kodagidar's occupation and assessment thereon.
4. Condition of tank at former settlement.
5. Its present condition.
6. Was any work done to it by Government since the settlement under the Rules of 1877, and
7. Was any work done to it by the Kodagidar since 1881, the nature of such work, and the alleged cost thereof.

Information upon the above points will enable the Government to ascertain exactly in what classes of cases a return to the old system is desired and then to devise some means of remedying any real hardship which may be found to exist, in so far as the same may be capable of a remedy.

9. I am to request that, in making an enquiry upon the above points, special care may be taken to prevent the applicants for reversion to the old system being led to anticipate the success of their applications, but you may, if you consider it necessary, inform those that allege the execution of repairs by them under the influence of hopes entertained owing to Mr. Ranga Charlu's orders, that the Government fully intend to compensate them for any real work done by them as alleged.

10. I am to suggest that the results of the revision under the principles of paras 3 & 4 of this letter may be announced by you to the parties assembled before you for the purpose, and advantage may be taken of that opportunity to ascertain their real wishes and grievances, if any, on the further question if a reversion to the old system in special cases.

11. In reply to the enquiry made in the concluding para of your letter under reply, I am to say that the present revision must necessarily be restricted to cases in which complaints are brought forward, but any cases not now brought forward *owing to ignorance or want of sufficient notice* may be received, enquired into and decided, if application for revision is made within a year after the publication of the results of the revision in the cases now before you.

24

Proceedings of the Dewan to His Highness the Maha Raja of Mysore, (Revenue),—dated 8th September 1881.

READ—

Proceedings No. 9620 of the 20th December 1876 regarding the enfranchisement of Kodigi Inams.

No. 4816-24—138, DATED BANGLORE, 8TH SEPTEMBER 1881.

ORDER.—The enfranchisement of Kdigi Inam lands was ordered in the belief that the inamdars who held but a potion of the lands under the tanks in inam and were often in poor circumstances wth divided interests, did not take sufficient interest in maintaining the tanks in god repair. This, it is believed, is the general condition of things, and the enfranchisment was not only necessary to provide adequate arrangements for the efficient naintenance of the tanks in which numbers of ryots are interested, but also beficial to the inamdars themselves who get their inam lands confirmed to them th gh subject to a quit-rent, but are relieved of the obligation of repairing the tanks a considerable outlay.

2. It is however understood that the ko idars in a few cases are not satisfied with this settlement which severs their con tion with the tanks which had been constructed by their ancestors and which they nsider it a point of honor to keep up. His Highness' Government considers that the nfranchisement should not have been compulsorily introduced in such cases. The D an therefore desires that the Deputy Commissioners will institute an enquiry into such cases during the ensuing jamabandi settlement and submit a list of the cas n which the kodigidars would prefer to retain their inams on the old tenure subject to the obligation of keeping the tanks in an efficient state. It should be clearly poi d out to them that the responsibility of repairing the tanks will be strictly enforce and that the resumption of the inams would follow in the event of their failing in th r obligations.

Enquire & list

3. The statement submitted should show he extent of the wet lands irrigated by the tanks, the portion of them held in kodigi iam and the quit-rent imposed on it, the present condition of the tank and the wi es of the ryots as regards the restoration of the tank to the kodigidar's managem and any outlay which may have been incurred by Government on the repairs of e tank since the inam enfranchisement, and any other facts which the kodigidars ma wish to urge on the subject.

Secretary.

To—The Deputy Commissioners of Districts.
" Inam Superintendent for information.

Proceedings of the Dewan to His Hi the Maharaja of Mysore, (Revenue),—dated 2 ptember 1888.

No. 4704-11—138, DATED MYSO 9TH SEPTEMBER 1888.

ORDER THEREON.—The scope of the rev of Kodagi settlement is fully explained in the last letter to Inam Superinten Camp No. 1261, dated 25th instant, copy of which is forwarded herewith. It is exd that most cases now settled under Class II and confirmed at ½ quit-rent or ½ qnt for life will come under Class I and confirmed at ¼ or ½ quit-rent. Therefor all cases of complaint or objection, more than what would be recoverable at the rates should not be levied. Hence the order to levy only ⅓ or ¼ of arrears at pres ates. Suppose for instance, a Kodagi has been settled under Class II at ½ assessm nd the arrears due upon it for 7 years at Rs. 8 is Rs. 56. One-third of this w levied, that is, Rs. 18⅔. If the revision confirms the Kodagi under Class I a uit-rent, the annual payment would be Rs. 4, and for 7 years, it would amount to 28. Under such circumstances, the man cannot complain if we now take Rs. 18⅔ n him and postpone levy of remaining Rs. 7⅓ to next year. Again, if present ement is ½ assessment for life, and the land is fully assessed after the first life, t rrears for 7 years would amount to Rs. 112. Levy of ⅓ of this or Rs. 37⅓ would be felt as a hardship by one who, at the revision, may get the land confirmed t n in perpetuity for ½ quit-rent under Class I and would therefore have to pa cording to the revision settlement Rs. 56 for 7 years. Under such circumst s, instructions contained in Camp No. 189, dated 11th July 1888, were issued Deputy Commissioners given discretion to levy only ¼ of arrears in special cases.

2. By the light of the above instructio he Deputy Commissioners will issue necessary orders to Amildars to regulate levy Kodagi arrears.

R. VIJAYINDRA RAO,
Chief Secretary.

To—The Deputy Commissioner, Kolar.
Copy to other Deputy Commissioners for information guidance.

No. 10120
P778

(16)

Gen. Serial No. 32.]

Rent & Rev. Br.
on 25/6

1895

2-7

No. 1887

Name of Petitioner. B. Venkatakow - represented by advocate Mr. Krishnamurthi Row

Village. Poondi

Taluk. Madhapuri

District. Tanjore

Date of Arzi. 12-1-95

Date of Receipt. 12-1-95

Date of Disposal.

No. of Enclosures. 1 Power of attorney.

L.R. 90-94-1

Rev. Branch

Please put up the reference

2/2. What steps can I take

Please put up letter no. B 18120 / P778

of yours branch on 25th July 94.

2

File put up

7/4/3.

Granted to Rev. Committee
Application for review of
the order passed by the
Board on 5-9-94
Stamp sufficient
Presented on 22 day from
date of decision

Can this come within
the list of Committee
cases? Board
23/5/95

Arrah against presumption of Inam
petition of larger extent than what is
[illegible] rendered

ABSTRACT.

States that during the Inam Settlement held in 1878 his Kodi Inam was enfranchised and charged with quit rent - that in pursuance of the notice issued in October 81 to hold the inquiry he submitted his objections against the Settlement and expressed his willingness to enjoy the Inam under the terms offered - that on 23rd Dec. 91 he submitted petition in the matter to the office which was referred to the Court - that on inquiry submitted his petition to the office - that consequently the matter was construed to be still pending disposal - that on the 19th August 94 he submitted another petition to the office - that in reply he was informed on the Settlement that as he failed to make application in pursuance of the notice published in the Gazette he has no right to claim his application for the revision of the Settlement - that the above order does not

apply to his case since he has been claiming
revision under circular notification of 3-12-81-
that his application for revision of 23-12-91
in time in accordance with the notification of
20-3-91- and that his application of 9-8-93
is only a reminder to the latter - and that con-
-sequently the petitioner has a right for revision.

Prayer - that order No. 414 of 3-10-93 may
be reviewed and cancelled - and
that a date may be fixed for hearing
the petitioner or his Advocate.

24/1.

30

Jon the under mentioned
is the under Tenure
Surburban Tenure holders
Act 1895 hereof

Attested by

Mr. Deeman was [illegible]
copy of Order No 4704 -11
dated 29/12/[illegible]
Subd. Offr [illegible]

contended to be proper
been regarded as falling
clause (3) of the list — "cl
to hold land wholly or pa
free from payment of lan
some case of that kind
in Council. In this case
claims (1) restoration of
tank & (2) Cancellation
Quit Rent imposed. As
to hold the Kodagi Inam
free from payment of Quit
this might be viewed as fa
under clause (3). If Quit
regarded as equivalent
Revenue"
DR 9/5

1888.

GOVERNMENT OF MYSORE.

REVENUE.

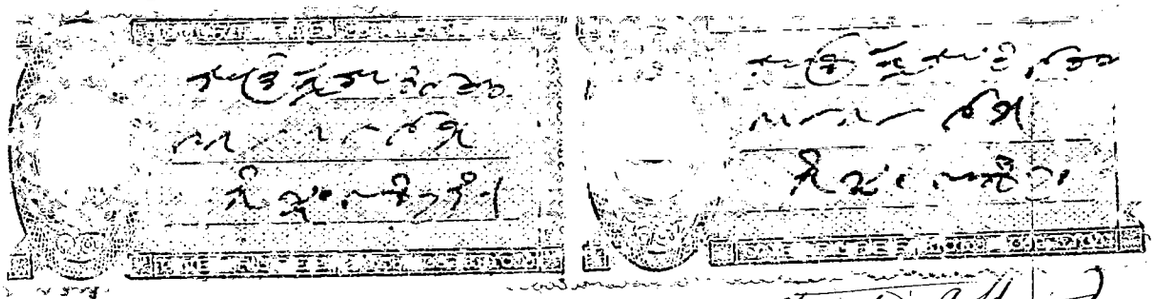
PROCEEDINGS.

Dated 29th September 1888.

No. 4704-11.
138.

Regarding the recovery of arrears of Kodagi Quit-rent.

Mysore Govt. Central Press, Bangalore.—7-1-89.—120.



31

2 Stamps Aff.

188

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
RECD. NO. 18870
DATE 12-1-95

To

The Dewan of Mysore

Bangalore

The humble petition of B. Venkata Rao, of Gundagal, Madagiri Taluq, Tumkur District, most respectfully

Sheweth

That he is a Kadaji Inamdar of Gundagal, Madagiri Taluq, and holds a Sunnad from His late Highness Krishnaraja Wadeyar Bahadur dated 1826.

That he has in addition to the Inam and enjoyment of the specified conditions in the Sunnad till 1878.

That at the Inam Settlement in 1878, the Inam was assessed, though

as detailed in his petition to your honor dated the 23rd. December 1891.

7 That the petition to the Dewans office, dated the 23rd December 1891 is still pending enquiry, though the Petitioner received an endorsement from the Dewans office bearing No. 1130 dated the 2/15 February 1892. Saying that the petition was refered to the Deputy Commissioner for disposal.

8 That the petition dated the 23rd December 1891 was enquired into by a Sub-Division officer and through the Deputy Commissioner (the Petition was so told by the Deputy Commissioner) was submitted to the Dewans office for final order and that final order has not yet been passed and that therefore it is still pending disposal here, though the Petitioner renewed the application by another dated the 19th August 1893.

9 That the petitioner now receives an endorsement from this office —

though at issue against the said
of the petitioner, which a pursuant to
Rs 7½. He paid his quit rent for
3 years till 1881

4. That on or about the 3rd instant
a notice was issued to all the Ryots
Inamdars, that if the Inamdars
were dissatisfied with the settlement
and that if they did not wish to have
their Inams enfranchised and enjoy
the Inam under the condition of the
original grants they might to
express their willingness thereto
officer named in the said notice
within a certain time.

5 That accordingly your petitioners
did submit his objections, in
writing, to the settlement and his
willingness to enjoy the Inam under
the conditions of the grant.

6 That since then, the matter is
still under enquiry, though
repeated applications were made
to the Inam office and officers there
as

for revising the Settlement for
reasons stated in the order,
That the Petitioner made his
application to your honor for
revising the Settlement on the
23rd December 1891, i.e. within the
period allowed by the last order.
The application dated the 9th
August 1893 is only a renewal of
that of the 23rd December 1891. The
Consequently the Petitioner is within
time to claim revision.

11 That from the reasons stat
in para 10 of this Petition, the
ground on which the Petitioner's
case is disposed of does not seem
to be correct and that the Petitio
has a right therefore, to beg you
honor for a revision of the Settl
ment.

12 Your Petitioner therefo
most respectfully pray
that your honor may
be pleased to revise
the order bearing No. 4
dated -

office purporting to be a refusal application dated 9th Dec
to the effect to say that as he failed
to make any application as provided
in the order of Government dated the
9th March 1888 and published in the
Gazette to revise the settlement, and
that consequently the petitioner had
no right to maintain that application
for revision of the settlement.

This order was the decision on the case itself & not on any particular point. The order means finality on all previous points

That the petitioner respectfully
submits that in the first place the
order of Government quoted, has no
application to the petitioner's case
in as much as he has been claiming
revision not under the order of
Government quoted above, but
under the Circular notification dated
the 3rd December 1881 long prior to the
issue of the above Government order,
2nd Ly, that by another notification
dated the 20th March 1891 and published
in the Gazette dated 28th March 1891, a
further period of one year was granted
for

dated 3rd October 1893
and Cancell the Lease
and then fix a date
for hearing the Petitioner
or his advocate in
support of his petition
dated 23rd December 1891
and then pass such
order in the matter
as your honor may
deem fit

And your Petitioner shall
ever pray.

Chinchina

38 Gen. 31.]

1895 No. 3086.

Pet 274

L.R. 90-94-3

From Deputy Commissioner Dimkur district

To Revenue Secretary to the Govt of Mysore.

Dated 10th October 1895.

Despatched 12th —do—

Received

General No. 342

No.

Enclosure No. 1 V. Zilla

His Docket No Pet/753 of the 8th instant.

Submits the vernacular proceedings returned with Govt Order No 6135/P539 of 26th September 1892.

Ved 13-10-95

The cases of the persons in which the case abstracts to be involved is the sanctioning order of 1881. Soil as then represented by the then Dewan Mr Blenner Hassett contemplated a change of policy in the treatment of Kodegi Inams. As also perhaps the sanction of the Govt of India would have had to be obtained to the changes contemplated was not without its advantages. As the first the beneficial nature of these Inams would have been to develop the policy of the Chowtagi system

copies sent up under notes

37 (17) urgent

L. R - 90-94-2

The Dy Commissioner
Amritsar Dt

Rev. 753 dt 8.10.95

Has the honor to request that the file of vernacular proceedings returned with Govt. No. 6135/1537 dated 26-Sept 95 may be retransmitted to this office at a very early date for reference.

By order

Draft OK
S/D Mckinley

The draft is sent herewith. File
Ahlmad is with the Asstt Reg.
S/D

(37) 40 Read

Petn dtd 12th January 1895 from P. Venkata Rao Mirasidar of Sundagal in the Maddigiri Taluk, praying for a revision of the order contained in Genl-Proc no 4964 dtd 12.9.94 & connected herein Endorsement no 414 dtd the 3rd Oct 1894.

Letter no 342 dtd the 24th Jan 1895 from the Dy Comr Tumkur submitting the revision petn & papers connected with the case

Order thereon

The Kodigi inam granted to the Petrs ancestors for the construction and upkeep of a tank at Sundagal was enfranchised, subject to quit-rent of 1/4 assessment under the Rules of 1871. The Petr having applied for a revision of the settlement in 1891, his petition was rejected on the ground that he had refrained from appealing against the settlement when it was introduced, but he now applies for a revision in accordance with the Notification of 9th March 1894 regarding the revision of settlement

No. 342
Rec: 1 file

29

Tiptur District.
Deputy Commissioner's Office.
Tiptur 10th October 1896.

To

The Revenue Secretary to the
Government of Mysore.

Sir,

As called for in your docket No Pet. 753 of the 8th instant (received today), I have the honor to submit herewith the vernacular Proceedings returned with Government Order No 6135 P 539 dated 26th September 1893.

I have the honor to be
Sir,
Your most Obedt. Servant

M Narasimha Rao
Offg. Deputy Commissioner

EV

42

Kodigi tanks whose main ~~[illegible]~~ have been enfranchised are duly maintained in accordance with the obligation which has devolved upon the State. ~~[illegible]~~

The D.C. Canara of Districts are accordingly requested to report the results of such enquiries for the information & orders of Govt.

Print*

14324 A.P. 1899

10.9.00.

Press copy sent up 22/9

To The D.C. Canara, ~~[illegible]~~
The Asst Superintendent, City
The Chief Engineer of Mysore
Copies to other D.C. Canara of Dist.

Shew to 18:e
before Cine. 12/9/1900

12-9-00

Recd 60.2m 3-9-00

14.IX.00

of Kodigi inams. (Vide order
No. 4986-6 dy the 12th Sept. 1894.
R. 721 1/2

2. Petr. has since ~~petty~~ applied for a review of this order, and urges that there has been no laches on his part.

41

3. It must be acknowledged that there is an element of hardship in the compulsory enfranchisement of Kodigi inams against the wishes of the inamdars, and it is easy to understand that their apprehensions as to whether the tanks, the liability to repair which has been imposed upon them and duly maintained by ~~the~~, will be ~~kept in order~~ by Govt., ~~[illegible]~~

The enfranchisement of Kodigi inams has, after due consideration, been enforced throughout the State, and it is now impossible to make an exception in the Petrs case ~~without reason~~. ~~the settlements already made~~. The tank must, therefore, be dealt with as all other tanks of that class have been, under the general policy of Govt regarding such tanks. The Petr. will be informed accordingly. ~~[illegible]~~ at present time

~~Public Works Dept is required~~ The Dept. deem it ~~to see~~ that proper enquiries ~~make it a point to see~~ that all

and it was added that, under that settlement, this inam was enfranchised at the highest possible quit-rent of 1/4 the assessment.

(27) 43

1900-1901

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 21st September 1900

No. 2669-78
P. F. 42-97

Passing orders on the petition of B. Venkata Rao, regarding his Kodigi Inam in the Gundagal Village, Maddagiri Taluk, and requesting the Deputy Commissioners of Districts to ascertain and report for the orders of Government whether all Kodigi Tanks, whose inams have been enfranchised, are duly maintained.

SBP—29-9-1900—250

Proceedings of the Government of Mysore, Petition, dated 21st September 1900.

READ —

Petition, registered No. 1337, dated the 12th January 1895, from B. Venkata Rao, Kodigidar of Gundagal in the Maddagiri taluk, praying for a review of the order contained in Government Proceedings No. 4964-6—R. 721½, dated 12th September 1894, and conveyed to him in Endorsement No. 414, dated the 3rd October 1894.

2. Letter No. 342, dated the 10th October 1895, from the Deputy Commissioner, Tumkur district, submitting the vernacular papers connected with the case.

No. 2669-73—P. F. 42-97, DATED BANGALORE, 21ST SEPTEMBER 1900.

ORDER THEREON—The Kodigi Inams granted to the petitioner's ancestor for the construction and up-keep of a tank at Gundagal was enfranchised, subject to a quit-rent of one-fourth assessment, under the Rules of 1876. The petitioner having applied for a revision of the settlement in 1891, his petition was rejected on the ground that he had refrained from applying for a revision in accordance with the Notification of 9th March 1888 regarding the revision of settlement of Kodigi Inams and it was added that, under that settlement, his inam was enfranchised at the lightest possible quit-rent of one-fourth the assessment, *vide* Order No. 4964-6—R. 721½, dated the 12th September 1894.

2. Petitioner has since applied for a review of this order and urges that there has been no laches on his part.

3. The enfranchisement of Kodigi Inams has, after due consjderat on, been enforced throughout the State, and it is not now possible to make an exception in the petitioner's case. The tank must, therefore, be dealt with as all other tanks of that class have been, under the general policy of Government regarding such tanks. The petitioner will be informed accordingly.

4. The Government deem it desirable at the same time that proper enquiries should be instituted to ascertain that all Kodigi tanks, whose inams have been enfranchised, are duly maintained in accordance with the obligation which has devolved upon the State. The Deputy Commissioners of districts are accordingly requested to report the result of such enquiries for the information and orders of Government.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Dep'ts.

To—The Deputy Commissioner, Tumkur District.
The Inam Superintendent in Mysore.
The Chief Engineer of Mysore.
The other Deputy Commissioners of Districts.

Exd.—H.A.R.

48 (22)

1887/26/9/00

L. R. 90-94-5